THE BOMBAY AGRICULTURAL PRODUCE MARKETS ACT, 1939.

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BOMBAY ACT No. XXII OF 1939.[1]

[THE BOMBAY AGRICULTURAL PRODUCE MARKETS ACT, 1939.]

[*2nd November 1939.*]

Amended by Bom. 57 of 1948.

An Act to provide for the better regulation of buying and selling of agricultural produce and the establishment of markets for agricultural produce in the Province of Bombay.

WHEREAS it is expedient to provide for the better regulation of buying and selling of agricultural produce in the Province of Bombay and establishment of markets for agricultural produce; It is hereby enacted as follows:—

CHAPTER I.

PRELIMINARY.

Short title and extent.

1. (*1*) This Act may be called the Bombay Agricultural Produce Markets Act, 1939.

(*2*) It extends to the whole of the Province of Bombay.

Definitions.

2. (*1*) In this Act, unless there is anything repugnant in the subject or context,—

(*i*) "Agricultural Produce" includes all produce of agriculture, horticulture and animal husbandry specified in the Schedule;

(*ii*) "Agriculturist" means a person who ordinarily by himself or who by his tenants or hired labour or otherwise is engaged in the production or growth of agricultural produce, but does not include a dealer or broker in agricultural produce although such dealer or broker may also be engaged in the production or growth of agricultural produce;

(*iii*) "Bye-laws" means bye-laws made under section 27;

[2][(*iv*) "Director" means the Director of Agricultural Marketing and Rural Finance for the Province of Bombay;]

(*v*) "Market" means a market established for the purposes of this Act;

(*vi*) "Market Area" means any area declared to be a market area under section 4;

(*vii*) "Market committee" means a committee established under section 5;

(*viii*) "Municipality" includes a notified area committee;

(*ix*) "Prescribed" means prescribed by rules made under section 26;

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[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1939, Part V, p. 471 *or* Bombay Legislative Assembly Debates, 1939, Vol. 7, p. 2372; *or* Bombay Legislative Council Debates, 1939, Vol. 8, pp. 447-48; for report of the Select Committee, *see Bombay Government Gazette*, 1939, Part V, pp. 475-77; *or* Bombay Legislative Council Debates, 1939, Vol. 8, pp. 448-50; for Proceedings in Assembly, *see* Bombay Legislative Assembly Debates, 1939, Vol. 7, pp. 2141-82, 2185-90; and for Proceedings in Council, *see* Bombay Legislative Council Debates, 1939, Vol. 8, pp. 12-44, 46-53, 68-71, 189-90.

[2] This clause was substituted for the original by Bom. 57 of 1948, s. 2. All Acts done by the Director of Rural Development for the Province of Bombay before the coming into force of the said Act have been saved by section 29A, *infra*.

MO-1 Bk H 957—46*a*

[1] [(*ixa*) 'retail sale' means a sale of any agricultural produce not exceeding such quantity as a market committee may by bye-laws made under section 27 determine to be a retail sale in respect of such agricultural produce;]

(*x*) "Rules" means rules made under section 26;

(*xi*) "Schedule" means Schedule to this Act.

(*2*) If a question arises whether any person is or is not an agriculturist for the purpose of this Act the decision of the Provincial Government on such question shall be final.

CHAPTER II.

CONSTITUTION OF MARKETS AND MARKET COMMITTEES.

Notification of intention of exercising control over purchase and sale of agricultural produce in specified area.

3. (*1*) The Provincial Government may, by notification in the Official Gazette, declare its intention of regulating the purchase and sale of such agricultural produce and in such area, as may be specified in the notification. Such notification may also be published in the regional languages of the area and in such other manner as the Provincial Government may deem fit.

(*2*) A Notification under sub-section (*1*) shall state that any objection or suggestion which may be received by the Provincial Government within a period of not less than one month to be specified in the notification shall be considered by the Provincial Government.

Declaration of market areas.

4. (*1*) After the expiry of the period specified in the notification issued under section 3 and, after considering such objections and suggestions as may be received before such expiry and after holding such inquiry as may be necessary, the Provincial Government may, by notification in the Official Gazette, declare the area specified in the notification under section 3 or any portion thereof to be a market area for the purposes of this Act in respect of all or any of the kinds of agricultural produce specified in the said notification. A notification under this section may also be published in the regional languages of the area in a newspaper circulated in the said area and may also be published in such other manner as the Provincial Government may deem fit.

(*2*) On and after the date of the notification issued under sub-section (*1*) or such later date as may be specified therein, no local authority notwithstanding anything contained in any law and no other person shall, within the market area or within a distance thereof to be notified in the Official Gazette in this behalf in each case by the Provincial Government, set up, establish, or continue or allow to be set up, established or continued any place for the purchase or sale of any agricultural produce so notified, except under a license granted by the Provincial Government and except in accordance with the provisions of this Act, rules and bye-laws and of the conditions specified in the license.

Explanation.—A local authority or any other person shall not be deemed to set up, establish, or continue or allow to be set up, established or continued a place as a place for the purchase and sale of agricultural produce within the meaning of this section if the seller is himself the producer of the agricultural produce offered for sale at such place or any person employed by such producer to transport the same

[1] This clause was inserted by Bom. 57 of 1948, s. 2.

and the buyer is a person who purchases such produce for his own private use [1][or if the agricultural produce is sold by a retail sale to a person who purchases such produce for his own private use.]

(*3*) The Provincial Government may, on the report of the Director or the Collector or of the market committee or an officer appointed by the Provincial Government in this behalf and after such inquiry as it deems fit to make, suspend or cancel any license granted under sub-section (*2*).

(*4*) Subject to the provisions of section 2, the Provincial Government may at any time by notification in the Official Gazette exclude from a market area any area or any agricultural produce comprised therein or include in any market area any area or any agricultural produce included in a notification issued under section 3.

Establishment of market committees.

5. The Provincial Government shall establish a market committee for every market area in respect of the agricultural produce for which said area is declared to be a market area under section 4. It shall be the duty of the market committee to enforce the provisions of this Act, the conditions of a license granted under sub-section (*2*) of section 4 and the rules and bye-laws made under this Act in such market area and within the distance thereof notified under sub-section (*2*) of section 4 and when so required by the Provincial Government to establish a market therein providing for such facilities as the Provincial Government may from time to time direct, in connection with the purchase and sale of the agricultural produce concerned.

Constitution of market committees.

6. (*1*) Every market committee shall be constituted as prescribed and shall consist of not less than 12 and not more than 15 members. Of these—

(*i*) not less than one-third shall be persons elected by such organizations of agriculturists in the area for which it is established, as the Provincial Government may prescribe and where no such organisations exist, by the agriculturists residing in the said area in the manner prescribed ;

(*ii*) not less than one-third shall be persons elected by the persons licensed under sub-section (*2*) of section 4 and by the traders approved by the Market committee in the manner prescribed ;

(*iii*) one shall be a person elected—

(*a*) by the councillors of a municipality from among themselves, in case the market area is wholly within the limits of such municipality, or

(*b*) by the members of a district local board from among themselves, in case the market area is wholly within the limits of the said district local board but not of a village panchayat, or

(*c*) by the members of a village panchayat from among themselves, in case the market area is wholly within the limits of the said village panchayat :

Provided that a person to whom a license has been granted under sub-section (*2*) of section 4 shall not be eligible for being elected under this clause.

Provided further that if the market area is within the limits of more than one local authority, the member shall be elected by the local authorities concerned in the manner prescribed ;

(*iv*) the remaining members shall be persons nominated by the Provincial Government :

[1] These words were added by Bom. 57 of 1948, s. 3.

Provided that the Provincial Government may, at any time, reduce the number of nominated members for any market area and increase the number of members elected under clauses (*i*) and (*ii*) in equal proportion.

(*2*) Notwithstanding anything contained in sub-section (*1*)—

(*a*) on the failure of any organisation, person or authority to elect a member under sub-section (*1*) within a period of six months from the date of the occurrence of the vacancy, the Provincial Government shall give notice in writing to the organisation, person or authority concerned to elect a member within a month from the date of such notice and on the failure of the organisation, person or authority again to elect a member within the said period, the Provincial Government shall nominate a person on behalf of such organisation, person or authority as a member of the market committee ; and

(*b*) subject to the provisions of section 31, when a market committee is constituted for the first time all the members of the market committee shall be persons nominated by the Provincial Government.

(*3*) Every member of a market committee elected or nominated when it is first constituted shall hold office for a term of two years [1][from the date of the first general meeting of the market committee] and every such member elected or nominated thereafter shall hold office for a term of three years :

Provided that a member elected under clause (*iii*) of sub-section (*1*) shall cease to hold office as such member if he ceases to be a member of the electorate by which he was elected or if he is granted a license under sub-section (*2*) of section 4.

(*4*) If at any time a vacancy occurs through the non-acceptance of office by a person elected or nominated or through the death, disqualification or resignation of a member before the expiry of his term of office, the vacancy shall be filled up by the election or nomination, as the case may be, of a person thereto in the manner specified above. Every such person shall hold office so long only as the member in whose place he is elected or nominated would have held it if the vacancy had not occurred.

(*5*) Every market committee shall elect one of its members to be its chairman [2][and another member to be its vice-chairman.]

CHAPTER III.

Incorporation of Market Committee : Its Powers and Duties.

Incorporation of market committee.

7. Every market committee shall be a body corporate by such name as the Provincial Government may specify by notification in the Official Gazette. It shall have perpetual succession and a common seal, may sue and be sued in its corporate name and shall be competent to acquire and hold, lease, sell or otherwise transfer any property and to contract and to do all other things necessary for the purposes for which it is established.

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[1] These words were inserted by Bom. 57 of 1948, s. 4.

[2] These words were added, *ibid.*

Appointment of sub-committees and joint-committees: delegation of powers.

8. The market committee may appoint one or more of its members to be a sub-committee or to be a joint committee for the conduct of any work or to report on any matter or matters and may delegate to such committee or any one or more of its members such of its powers or duties as it may think fit.

Appointment and salaries of servants of the market committee.

9. (*1*) The market committee may employ such officers and servants as may be necessary for the management of the market and may pay such officers and servants such salaries as the market committee thinks fit. The market committee shall, in the case of any officer or servant of Government whom it employs, pay such pension contribution, gratuity or leave allowance as may be required by the conditions of his service under the Crown for the time being in force.

(*2*) The market committee may also, in the case of any of its officers and servants, provide for the payment to them of such leave allowances, pensions or gratuities as it deems proper, and may contribute to any provident fund which may be established for the benefit of such officers and servants.

(*3*) The powers conferred by this section on the market committee shall be exercised subject to any rules which may be made in this behalf by the Provincial Government.

Execution of contracts.

10. (*1*) Every contract entered into by the market committee shall be in writing and shall be signed on behalf of the market committee by its chairman, and two other members of the committee.

(*2*) No contract other than a contract executed as provided in sub-section (*1*) shall be binding on the market committee.

Power to levy fees.

11. The market committee may subject to the provisions of rules and subject to such maxima as may be prescribed levy fees on the agricultural produce bought and sold by licensees in the market area.

Certain differences regarding construction of rules, etc., about weights and measures to be decided by market committee.

12. (*1*) Notwithstanding anything contained in the Bombay Weights and Measures Act, 1932, if any difference arises between an inspector appointed under section 19 of the said Act and any person interested as to the meaning or construction of any rule or regulation or as to the method of verifying, adjusting or stamping any weight or measure or weighing or measuring instrument in any market area such difference may at the request of the person interested or by the inspector of his own accord be referred to the market committee and the decision of the market committee shall, subject to the provisions of sub-section (*2*), be final and shall be deemed to have been given under section 25 of the Bombay Weights and Measures Act, 1932.

Bom. XV of 1932.

Bom. XV of 1932.

(*2*) An appeal shall lie within the time prescribed from the decision under sub-section (*1*) to the Provincial Government or such officer as the Provincial Government may appoint in this behalf. The decision of the Provincial Government or such officer shall be final.

Market Committee Fund.

13. (*1*) All monies received by a market committee shall be paid into a fund to be called "the market committee fund" and all expenditure incurred by the market committee under or for the purposes of this Act shall be defrayed out of the said fund. Any surplus remaining with the market committee after such expenditure has been met shall be invested as may be prescribed in this behalf.

(*2*) Every market committee shall pay to the Provincial Government the cost of any additional or special staff employed by the Provincial Government in consultation with such market committee for giving effect to the provisions of this Act in the market area for which such market committee is established.

(*3*) The Provincial Government shall determine the cost of such additional or special staff and shall, when the staff is employed for the purposes of more than one market committee apportion such cost among the committees concerned in such manner as it thinks fit. The decision of the Provincial Government determining the amount payable by any market committee shall be final.

Purposes for which the fund shall be expended.

14. Subject to the provisions of section 13, the market committee fund shall be expended for the following purposes, namely :—

(*1*) The acquisition of a site or sites for the market;

(*2*) the maintenance and improvement of the market;

(*3*) the construction and repair of buildings necessary for the purposes of such market and for the health, convenience and safety of the person using it;

(*4*) the provision and maintenance of standard weights and measures;

(*5*) the pay, pensions, leave allowances, gratuities, compensations for injuries resulting from accidents, compassionate allowances and contributions towards leave allowances, pensions or provident fund of the officers and servants employed by it;

(*6*) the expenses of and incidental to elections;

(*7*) the payment of interest on the loans that may be raised for the purposes of the market and the provision of sinking fund in respect of such loans;

(*8*) the collection and dissemination of information regarding matters relating to crop statistics and marketing in respect of the agricultural produce notified under section 4;

(*9*) payments of the cost referred to in sub-sections (*2*) and (*3*) of section 13; and

(*10*) propaganda in favour of agricultural improvement.

Power to borrow.

15. (*1*) A market committee may, with the previous sanction of the Provincial Government, raise money required for carrying out the purposes for which it is established on the security of any property vested in it and of any fees leviable by it under this Act.

(*2*) The market committee may, for the purpose of meeting the initial expenditure on lands, buildings and equipment required for establishing the market, obtain a loan from the Provincial Government.

(*3*) The conditions subject to which such money or loan shall raised or obtained and the time within which the same shall be repayable shall be subject to the previous sanction of the Provincial Government.

Acquisition of land for the market committee.

16. When any land is required for the purposes of this Act, the Provincial Government may, on the request of the market committee requiring it, proceed to acquire it under the provisions of the Land Acquisition Act, 1894, or other law for the time being in force, and, on payment by the market committee of the compensation awarded under that Act or other law, as the case may be, and of all other charges incurred by the Provincial Government on account of the acquisition, the land shall vest in the market committee.

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CHAPTER IV.

TRADE ALLOWANCES.

No Trade allowance permissible except as prescribed.

17. No person shall make or recover any trade allowance, other than an allowance prescribed by rules or bye-laws made under this Act, in any market area in any transaction in respect of the agricultural produce concerned and no civil court shall, in any suit or proceeding arising out of any such transaction, have regard to or recognise any trade allowance not so prescribed.

Explanation.—Every deduction other than a deduction on account of deviation from sample when the purchase is made by sample or on account of deviation from standard when the purchase is made by reference to a known standard or on account of difference between the actual weight of the container and the standard weight or on account of the admixture of foreign matter, shall be regarded as a trade allowance for the purposes of this section.

CHAPTER V.

MISCELLANEOUS.

Liability of members of market committee to removal from office.

18. (*1*) The Provincial Government may, if it thinks fit, on the recommendation of the market committee supported by at least two-thirds of the whole number of members, remove any member of the market committee elected or nominated under this Act, if such member has, in the opinion of the Provincial Government, been guilty of neglect or misconduct in the discharge of his duties or of any disgraceful conduct or has become incapable of performing his duties as a member :

Provided that no resolution recommending the removal of any member shall be passed by the market committee unless the member to whom it relates has been given a reasonable opportunity of showing cause why such recommendation should not be made.

(*2*) The decision of the Provincial Government under sub-section (*1*) shall be final.

Supersession of market committee.

19. (*1*) If in the opinion of the Provincial Government a market committee is not competent to perform or persistently makes default in performing the duties imposed on it by or under this Act or abuses its powers the Provincial Government may, by notification in the Official Gazette, supersede such market committee :

Provided that before issuing a notification under this sub-section, the Provincial Government shall give a reasonable opportunity to the market committee for showing cause why it should not be superseded and shall consider the explanations and objections, if any, of the market committee.

(*2*) Upon the publication of a notification under sub-section (*1*) superseding a market committee the following consequences shall ensue—

(*i*) all the members as well as the chairman of the market committee shall as from the date of such publication be deemed to have vacated their offices ;

(*ii*) the Provincial Government may, at their discretion, by order, either constitute a new market committee under section 6 or make such arrangements for the carrying out of the functions of the market committee, as it may think fit ; and

(*iii*) all the assets vesting in the market committee shall, subject to all its liabilities vest in the Crown for purposes of the Province.

(*3*) If the Provincial Government makes an order under clause (*ii*) of sub-section (*2*), it shall transfer the assets and liabilities of the market committee as on the date of such transfer, to the new market committee constituted under section 6 or to the person or persons, if any, appointed for carrying out the functions of the market committee, as the case may be.

(*4*) If the Provincial Government does not make such an order, it shall transfer all the assets of the market committee which remain after the satisfaction of all its liabilities, to the local authority within whose jurisdiction the market committee is situated or if there are more than one such authorities to each of such authorities any such portion of the assets as the Provincial Government may determine.

(*5*) A local authority to which the assets of a market committee have been transferred under sub-section (*4*) shall utilise such assets for such object in the area within its jurisdiction as the Provincial Government considers to be for the benefit of the agriculturists in that area.

Penalty for contravention of section 4.

20. Whoever contravenes the provisions of section 4 shall, on conviction, be punishable with fine which may extend to five hundred rupees, and in the case of a continuing contravention with a further fine which may extend to one hundred rupees for every day during which the contravention is continued after first conviction.

Penalty for making or recovering trade allowance other than an allowance prescribed by rules or bye-laws made under this Act.

21. Whoever, in contravention of the provisions of section 17, makes or recovers any trade allowance other than an allowance prescribed by rules or bye-laws made under this Act shall, on conviction, be punishable with fine which may extend to Rs. 200.

Bar of suit in absence of notice.

22. (*1*) No suit shall be instituted against any market committee or any member, officer or servant thereof or any person acting under the direction of any such market committee member, officer or servant for anything done or purporting to be done, in good faith as such member, officer or servant under this Act, until the expiration of two months next after notice in writing, stating the cause of action, the name and place of abode of the intending plaintiff and the relief which he claims, has been, in the case of a market committee, delivered or left at its office, and in the case of any such member, officer, servant or person as aforesaid, delivered to him or left at his office or usual place of abode, and the plaint shall contain a statement that such notice has been so delivered or left.

(*2*) Every such suit shall be dismissed unless it is instituted within six months from the date of the accrual of the alleged cause of action.

(*3*) Nothing in this section shall be deemed to apply to any suit instituted under section 54 of the Specific Relief Act, 1877. I of 1877

Trial of offences.

23. (*1*) No offence under this Act, or any rule or bye-law thereunder shall be tried by a Court other than that of a Presidency Magistrate or a Magistrate of the First Class or a Magistrate of the Second Class specially empowered in this behalf.

(2) Prosecutions under this Act may be instituted by any person duly authorised in writing by the market committee in this behalf.

Recovery of sums due to Government from market committee.

24. Every sum due from a market committee to the Provincial Government shall be recoverable as an arrear of land revenue.

Power of the Provincial Government to delegate its powers.

25. The Provincial Government may delegate to any officer any of the powers conferred on it by a or under this Act.

Rules.

26. (1) The Provincial Government may, either generally or specially for any market area or market areas, make rules for the purposes of carrying out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing provision, such rules may provide for or regulate :—

(*a*) the election and nomination of members of the market committee, the manner of election, the preparation and revision of lists of voters from time to time and the payment of all expenditure in connection with or incidental to such election ;

(*b*) the powers to be exercised [1][and the duties to be performed] by the market committee ;

(*c*) the election of the chairman [1][and the vice-chairmen] of the market committee and [2][this] term of office ;

(*d*) the filling of casual vacancies in the office of chairman, [3][vice-chairman] or member of the market committee ;

[4][(*e*) the management of the market, maximum fees which may be levied by the market committee in respect of agricultural produce bought and sold by persons holding a licence under the Act in the market area ;]

(*f*) the issue of licenses to [5][traders, commission agents, brokers, weighmen, measurers, surveyors, warehousemen and other persons operating in the market] the form in which, and the conditions subject to which such licenses shall be issued or renewed [6]* * * * * * and the fees to be charged therefor ;

(*g*) the kind and description of the weights and measures and the weighing and measuring istruments which alone shall be used in transactions in the agricultural produce in a market area ;

(*h*) the periodical inspection of all weights and measures and weighing and measuring instruments in use in a market area ;

(*i*) the manner of control and supervision to be exercised by the market committee over inspectors appointed under section 19 of the Bombay Weights and Measures Act, 1932 ;

Bom. XV of 1932.

(*j*) the time within which an appeal shall lie to the Provincial Government or the Officer appointed by it in that behalf under sub-section (2) of section 12 ;

(*k*) the trade allowance which may be made or received by any person in any transaction in the agricultural produce in a market area ;

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[1] These words were inserted by Bom. 57 of 1948, s. 5.
[2] This word was substituted for the word "his", *ibid.*
[3] This word was inserted, *ibid.*
[4] This clause was substituted for the original, *ibid.*
[5] These words were substituted for "brokers, weighmen, measurers and surveyors, *ibid.*
[6] These words and the conditions subject to which the licensees shall carry on their business were deleted, *ibid.*

(*l*) the provision of facilities for the settlement of any dispute between a buyer and seller of agricultural produce or their agents including disputes regarding the quality or weight of the article, the allowances for wrappings, containers, dirt or impurities or deductions from any cause ;

(*m*) the prohibition of brokers from acting in any transaction on behalf of both the buyer and seller of agricultural produce or as a buyer or seller ;

(*n*) the provision of accommodation for storing any agricultural produce brought into the market ;

(*o*) the preparation of plans and estimates for works proposed to be constructed partly or wholly at the expense of the market committee, and the grant of sanction to such plans and esimates ;

(*p*) the form in which the accounts of a market committee shall be kept, the audit and publication of such accounts and the charges, if any, to be made for such audit ;

(*q*) the preparation and submission for sanction of the annual budget and the report and returns to be furnished by a market committee ;

(*r*) the investment and disposal of the surplus funds of a market committee ;

(*s*) the regulation of advances, if any, given to agriculturists by brokers [1][commission agents or traders]

(*t*) the prevention of adulteration of the agricultural produce ;

(*u*) the grading and standardisation of the agricultural produce ;

(*v*) the keeping of a list of prices of agricultural produce in respect of which the market is established ;

[2][(*w*) the manner in which auctions of agricultural produce shall be conducted and bids made and accepted in any market ;

(*x*) the recovery and disposal of fees leviable by or under the Act.]

(*3*) Any rule made under this Act may provide that any contravention thereof or of any of the conditions of any license issued or renewed thereunder shall, on conviction, be punishable with fine which may extend to Rs. 200.

(*4*) The power to make rules conferred by this section is subject to the condition of the rules being made after previous publication.

(*5*) Rules made under this section shall be laid before each of the Chambers of the Provincial Legislature at the session thereof next following and shall be liable to be modified or rescinded by a resolution in which both Chambers concur and such rules shall, after notification in the Official Gazette, be deemed to have been modified or rescinded accordingly :

Provided that when, in the opinion of the Provincial Government, such modification or rescission is likely to defeat or frustrate any of the purposes of this Act, the Provincial Government may, by notification in the Official Gazette, declare that the modification or rescision shall have no effect and thereupon the rule shall remain in force as if it had not been modified or rescinded.

[1] These words were substituted for the words " or dalals " by Bom. 57 of 1948, s. 5.
[2] These clauses were inserted, *ibid.*

Bye-laws.

27. (*1*) Subject to any rules made by the Provincial Government under section 26 and with the previous sanction of the Director or any other officer specially empowdered in this behalf by the Provincial Government, the market committee may in respect of the market area under its management make bye-laws for the regulation of the business and the conditions of trading therein.

(*2*) Any bye-law made under this section may provide that any contravention thereof shall, on conviction, be punishable with fine which may extend to Rs. 50.

Power of Provincial Government to call for Proceedings of market committee and to pass orders thereon.

28. The Provincial Government may at any time call for and examine the proceedings of any market committee for the purpose of satisfying itself as to the legality or propriety of any decision or order passed by the market committees under the rules. If in any case, it appears to the Provincial Government that any decision or order or proceedings so called for should be modified, annulled or reversed, the Provincial Government may pass such order theron as it thinks fit.

Power of Provincial Government to amend the schedule.

29. The Provincial Government may, by notification in the Official Gazette add to, amend or cancel any of the items of agricultural produce specified in the schedule.

Validation of acts of Directors.

[1][**29A.** Notwithstanding anything contained in this Act, all reports submitted under sub-section (*3*) of section 4 and sanctions given to bye-laws under sub-section (*1*) of sect on 27 and all things done by or on behalf of the Director of Agricultural Marketing and Rural Finance for the Province of Bombay purporting to act in exercise of the powers as the Director before the date on which the Bombay Agricultural Produce Markets (Amendment) Act, 1948, came into force, shall be deemed to be and always to have been validly submitted, given or done, as the case may be, as required by under this Act and shall not be deemed to be invalid or called in question merely on the ground that such report was submitted or sanction was given or thing was done by or on behalf of the said Director of Agricultural Marketing and Rural Finance before the said date.]

Bom. LVII of 1948.

Savings.

Bom. IV of 1862.

30. Nothing contained in the Market and Fairs Act, 1862, or in any law for the time being in force relating to the establishment, maintenance or regulation of a market shall apply to any market area or affect in any way the powers of a market committee or the rights of a holder of a license granted under sub-section (*2*) of section 4 to set up, establish or continue or to allow to be set up, established or continued, any place for the purchase or sale of any agricultural produce notified under sub-section (*1*) of section 4 in such area.

Repeal of Bom. XVII of 1927.

31. The Bombay Cotton Markets Act, 1927, is hereby repealed :

Provided that, notwithstanding anything contained in section 6, any local area declared to be a cotton market under section 4 of the Bombay Cotton Markets Act, 1927, shall be deemed to be a market area under this Act and the market committee constituted for the said market under section 5 of the said Act and holding office immediately prior to the date on which this Act comes into force shall be deemed to be the market committee under this Act for the said market area. All the members of such committee shall be deemed to be members nominated by the Provincial Government under sub-section (*2*) of section 6.

Bom. XVII of 1927.

[1] This section was inserted by Bom. 57 of 1948, s. 6.

SCHEDULE.

[*See* SECTION 2 (*1*) (*i*)]

I. *Fibres*—
(1) Cotton (ginned and unginned).
[1][(2) Sanhemp.]

II. *Cereals*—
(1) Wheat.
(2) Paddy (husked and unhusked).
(3) Jowar.
(4) Bajri.
(5) Nagli.
(6) Vari.
(7) Kodra.
(8) Maize.
[1][(9) Sarsav.]
[2][(10) Bavto.]
[3][(11) Barley.]

III. *Pulses*—
(1) Tur.
(2) Gram.
(3) Udid.
(4) Mung.
(5) Val.
[4][(6) Chola.
(7) Lang.
(8) Math.]

IV. *Oilseeds*—
(1) Groundnut (shelled and unshelled).
(2) Linseed.
(3) Sesamum.
(4) Safflower.
(5) Ambadi.
(6) Cocoanut.
(7) Cotton seed.
(8) Castor seed.

V. *Narcotics*—
(1) Tobacco.

[5][VI. *Gul, sugar and sugarcane.*]

VII. *Fruits*—
(1) Mango.
(2) Mosambi.
(3) Santra.

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[1] This entry was added by G. N., R. D., No. 7590/45, dated the 16th March 1948.
[2] This entry was added by G. N., R. D., No. 7905/45(*a*), dated the 13th May 1948.
[3] This entry was added by G. N., R. D., No. 7171/45, dated the 6th August 1948.
[4] These entries were added by G. N., R. D., No. 7590/45, dated the 16th March 1948.
[5] This item was substituted for the original by G. N., R. D., No. 991/33, dated the 5th April 1941.

(4) Lemon.
(5) Banana.
(6) Grapes.
(7) Pomegranate.
(8) Fig.
(9) Chickoo.
(10) Strawberry.
(11) Melons.

VIII. *Vegetables—*

(1) Potato.
(2) Onion.
(3) Tomato.
(4) Suran.
(5) Leafy and fresh vegetables.
[1][(6) Yam.
(7) Sweet potatoes.]

IX. *Animal Husbandry Products-*

(1) Eggs.
(2) Poultry.
(3) Cattle.
(4) Sheep.
(5) Goat.
(6) Wool.
(7) Butter.
(8) Ghee.
(9) Milk.

X. *Condiments, spices and others-*

(1) Turmeric.
(2) Ginger.
(3) Garlic.
(4) Corriander.
(5) Chillies.
(6) Cardamom and pepper.
(7) Variali.
(8) Betelnuts.
(9) Betel leaves.
(10) Cashewnuts.
[2][(11) Cummin (Jiru).
(12) Rai.
(13) Methi.

XI. *Grass and fodder.*

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[1] These entries were added by G. N., R. D., No. 7590/45, dated the 16th March 1948.
[2] These entries were added by G. N., R. D., No. 7905/45(*a*), dated the 13th May 1948.